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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 I hereby certify that this correspondence, totaling 10 pages including this transmittal, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-9308 (Central number) on the below date: Date: <u>November 8, 2004</u> Name: <u>Lawrence G. Almada</u> Signature: <u>[Signature]</u>	
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**BRINKS
HOFER
GILSON
& LIONE**
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **ROY K. GREENBERG et al.**
 Appln. No.: **10/003,011**
 Filed: **November 1, 2001**
 For: **MEDICAL GRASPING DEVICE**

Examiner: **Pedro Philogene**
 Art Unit: **3712**

Attorney Docket No: **8627-213**

Mail Stop Amendment
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Reply Under 37 C.F.R. § 1.116
☐ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☐ An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	Small Entity		or	Not a Small Entity	
					Rate	Add'l Fee		Rate	Add'l Fee
Total					x \$9=			x \$18=	
Indep.					x 44=			x \$88=	
First Presentation of Multiple Dep. Claim					+ \$150=			+ \$300=	
Total					\$			Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

November 8, 2004
 Date

[Signature]
 Lawrence G. Almada (Reg. No. 46,161)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: ROY K. GREENBERG et al.
Appln. No.: 10/003,011
Filed: November 1, 2001
For: MEDICAL GRASPING DEVICE
Attorney Docket No: 8627-213 (PA-5270-RFB)

Examiner: Pietro Philogene
Art Unit: 3732

REPLY UNDER 37 C.F.R. §1.116

In response to the Final Office Action mailed September 8, 2004, Applicants respectfully submit this paper comprising the following parts:

- I. **Listing of Claims**, beginning on page 2; and
- II. **Remarks**, beginning on page 7.

Applicants note that the Transmittal to which this paper is attached includes a Certificate under 37 C.F.R §1.8; and a fee statement calculating any fee(s) presently due in connection with the filing of this paper, along with an authorization to charge any fee deficiency to Deposit Account No. 23-1925.

BRINKS
HOFFER
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